



**Minutes for Meeting of  
Thursday, May 13, 2004**

**Item-1: Call to Order.**

Chairwoman Dorothy Smith called the meeting to order at 5:00 p.m.

**Item-2: Roll Call.**

Present – Chairwoman Dorothy Smith, Commissioners Dorothy Leonard, April Riel, Karen Thomas-Stefano, Greg Vega, and Larry S. Westfall.

Staff – Executive Director Stacey Fulhorst, Deputy City Attorney Dave James, Legal Assistant Steve Ross, Executive Secretary Janet MacFarlane.

Excused – Charles H. Dick, Jr.

**Item-3: Reporting Results of Closed Session.**

Chairwoman Smith reported the results of the Closed Session meeting of April 8, 2004.

Conference with Legal Counsel (3 Potential Matters)

**Case No. 2004-11**

**Case No. 2004-12**

**Case No. 2004-13**

Motion: Initiate Investigations

Moved/Seconded: Dick/Leonard

Vote: Unanimous

Excused: Riel/Stefano

Conference with Legal Counsel (4 Potential Matters)

Note: Only 3 matters were presented.

**Case No. 2004-04 – In re: Equity Residential Properties Management Corp.**

Motion: Accept Stipulation  
Moved/Seconded: Dick/Vega  
Vote: Unanimous  
Excused: Riel/Stefano

**Case No. 2004-06**

Motion: Dismiss  
Moved/Seconded: Leonard/Dick  
Vote: Unanimous  
Excused: Riel/Stefano

**Case No. 2004-09**

Motion: Initiate Investigations  
Moved/Seconded: Leonard/Vega  
Vote: Unanimous  
Excused: Riel/Stefano

**Item-4: Approval of Commission Minutes**

APPROVAL OF COMMISSION MINUTES OF MARCH 11, 2004 and APRIL 8, 2004.

Motion: Approve minutes  
Moved/Seconded: Westfall/Leonard  
Vote: Unanimous  
Abstained: Stefano (4/8/04 minutes)  
Excused: Dick

**Item 5: Non-Agenda Public Comment**

None.

**Item 6: Commissioner Comment**

Commissioner Vega acknowledged Commissioner Stefano's recent MBA degree.

**Item 7: Executive Director Comment**

Executive Director Stacey Fulhorst reported the following:

1. Proposed ECCO revisions are scheduled for Rules Committee consideration at its meeting on Wednesday, May 19, 2004. Committee members have or will be briefed prior to meeting.

2. Interviews for Financial Investigator position are scheduled for Monday, May 17, 2004.
3. Tenant improvements being negotiated for expansion of office space to house additional staff member.

#### **Item 8: Deputy City Attorney Comment**

Dave James acknowledged Commissioner Vega's recent recognition by the San Diego County Bar Association for his Service to the Legal Profession.

#### **Item 9: Proposed Revisions to ECCO**

Stacey Fulhorst asked for Commission input on two minor items related to ECCO revisions: 1) Situation where excess campaign contributions are used to fund a bid for re-election four years later. Should transfer and attribution rules apply? 2) Clarification that campaign treasurers must identify "P" for primary and "G" for general on their campaign disclosures.

The Commission expressed support for campaign statement clarification. There was a general consensus that transfer and attribution rules should not apply to excess funds carried over to a new election for the same office.

#### **Item 10: Proposed Establishment of Guidelines for Ethics Commissioners**

Mel Shapiro recommended that commissioners recuse themselves if any member of their respective firms represents a party under commission investigation.

Commissioners Riel and Stefano agreed to serve on an ad hoc commission with Chairwoman Smith to develop commission guidelines when representing clients who have matters pending before the city.

#### **Item 11: Adjournment to Closed Session**

Chairwoman Dorothy Smith adjourned the meeting to Closed Session at approximately 5:50 p.m. She stated if the Commission took any action that must be reported pursuant to the Brown Act, the Commission would reconvene into Open Session to report on that action.

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Dorothy L. Smith, Chairwoman  
Ethics Commission

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Janet MacFarlane, Executive Secretary  
Ethics Commission

***THIS INFORMATION WILL BE MADE AVAILABLE IN ALTERNATIVE FORMATS UPON REQUEST.***